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FACSIMILE TRANSMISSION

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TO : Examiner C. Collins

COMPANY/FIRM : U.S. PATENT AND TRADEMARK OFFICE

FACSIMILE NO. : 703-872-9306

FROM : Gary J. Gershik

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 36

DATE : July 23, 2004 TIME: _____

CLIENT/DOCKET: 0687/72243-A-PCT-US Serial No. 09/508,979

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EXPEDITED PROCEDURE
RESPONSE UNDER 37 C.F.R. § 1.116
GROUP ART UNIT 1638

Docket No. 72243-A-PCT-US/JPW/GJC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Higgins et al.

Serial No.: 09/508,979

Examiner: C. Collins

Filed : May 10, 2000

Art Unit: 1638

For : METHOD FOR ALTERING STORAGE ORGAN COMPOSITION

1185 Avenue of the Americas
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July 23, 2004

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BY FACSIMILE 703-872-9306

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Commissioner for Patents
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Sir:

AMENDMENT IN RESPONSE TO JULY 7, 2004 ADVISORY ACTION
AND PETITION FOR A SECOND AND THIRD-MONTH EXTENSION OF TIME

This Amendment is submitted in response to the July 7, 2004 Advisory Action in connection with the above-identified application. The July 7, 2004 Advisory Action indicated that applicants' June 1, 2004 Amendment has not been entered, although the Information Disclosure Statement, Revocation of Power of Attorney and Appointment of New Attorney, and Change of Address, all also filed June 1, 2004, have been acted upon by the U.S. Patent Office, and thus understood by the undersigned to have been entered.

During a July 13, 2004 telephone conference between Examiner Collins and the undersigned, for which courtesy the undersigned thanks Examiner Collins, Examiner Collins indicated that an Amendment that did not recite "faba bean"

Applicants: Higgins et al.
Serial No.: 09/508,979
Filed : May 10, 2000
Page : 2

will be entered and considered in response to the January 30, 2004 Final Office in connection with the above-identified application. Accordingly, applicants are filing this Amendment which amends the claims as discussed with the Examiner and also contains Remarks explaining how this Amendment overcomes the rejections of record in the subject application.

A response to the January 30, 2004 Final Office Action was due April 30, 2004. On June 1, 2004 applicants requested a one-month extension of time from April 30, 2004 to May 30, 2004, and paid the required fee of \$110.00. Applicants are hereby requesting a further extension of time of a second and a third-month, i.e. to July 30, 2004. The undersigned authorizes the Commissioner to charge the difference between the fee previously paid (\$110.00) and the fee for a three-month extension of time (\$950.00), which is \$840.00 to Deposit Account No. 03-3125. Accordingly, this Amendment is being timely filed.

Applicants also point out that this Amendment includes a request for withdrawal of finality of the January 30, 2004 Office Action on the basis that there was no reason why the rejection based on Altenbach et al. was not for the first time presented in an earlier non-final Office Action, giving applicants a proper opportunity to reply thereto.

Please amend the subject application as follows: